

Judge Burgess

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	NO. CR03-5463FDB
	)	
v.	)	FINAL ORDER OF FORFEITURE
	)	
JENNIFER JOHNSON	)	
	)	
Defendant.	)	
	)	

On March 5, 2004, the Court entered a Preliminary Order of Forfeiture in this case with respect to the following properties:

1. \$811.00 U.S. Currency;
2. \$2,974.00 U.S. Currency;
3. Digital Scale;
4. Marijuana Grow Equipment (16 lights, three boxes of bulbs, sixteen ballasts, five heaters, two pumps, two electrical power panels, six 32-gallon plastic garbage cans full of nutrients and water, thirteen circulating fans, six squirrel cage fans, and numerous bales of potting soil;
5. A handgun (Taurus Model No. .40 caliber, Serial Number SVF06184); and
6. Ammunition and holster.

The above listed properties were subject to forfeiture pursuant to Title 21, United States Code, Section 853, based on defendant Jennifer Johnson's plea of guilty to violations of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B),

1 Manufacturing of Marijuana, and Title 21, United States Code, Sections 841(a)(1) and  
2 841(b)(1)(D), Possession of Marijuana with Intent to Distribute. In the Preliminary Order  
3 of Forfeiture, the Court found that the defendant had an interest in the properties subject  
4 to forfeiture.

5 The United States published due notice of the Preliminary Order, as prescribed by  
6 Title 21, United States Code, Section 853, and of its intent to dispose of the listed  
7 properties in accordance with the law. The United States also provided direct written  
8 notice to all persons known to have alleged an interest in the properties.

9 Petitioner Russell Moss filed a petition, dated November 5, 2004, in which he  
10 claimed an interest in the \$811.00 U. S. currency and the \$2,974.00 U.S. currency listed  
11 above. Also on November 5, 2004, Petitioner Russell Moss filed a second petition for the  
12 Taurus .40 caliber semi-automatic pistol, ammunition and holster.

13 On March 4, 2005, this office received a copy of a letter dated February 21,  
14 2004[sic], from Russell Moss to Judge Burgess "vacating" his claim to the cash, but  
15 requesting the return of the Taurus .40 caliber semi-automatic pistol, holster and  
16 ammunition. On August 31, 2005, the Court entered an Order approving the stipulation  
17 to between Russell Moss and the United States to withdraw claim to \$3,785.00, the  
18 forfeiture thereof, and the return of the Taurus .40 S&W Pistol to Claimant Moss. The  
19 Taurus .40 S&W Pistol, holster, and ammunition have been returned.

20 No other persons or entities have filed a petition or claim in this action.  
21 Accordingly,

22 IT IS ORDERED, ADJUDGED and DECREED that the following assets are  
23 hereby fully and finally condemned and forfeited to the United States in their entirety:


- 24 a. \$811.00 U.S. Currency;
- 25 b. \$2,974.00 U.S. Currency;
- 26 c. Digital Scale;
- 27 d. Marijuana Grow Equipment (16 lights, three boxes of bulbs, sixteen  
28 ballasts, five heaters, two pumps, two electrical power panels, six 32-gallon  
plastic garbage cans full of nutrients and water, thirteen circulating fans, six

squirrel cage fans, and numerous bales of potting soil.

The United States Marshals Service is authorized to dispose of the above listed assets in accordance with law.

The Clerk of the Court is directed to send a copy of this Final Order of Forfeiture to all counsel of record and twelve (12) "raised sealed" certified copies to the United States Marshals Service in Seattle, Washington.

DATED this 9<sup>th</sup> day of January, 2006.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Richard E. Cohen  
RICHARD E. COHEN  
Assistant United States Attorney  
601 Union Street, Suite 5100  
Seattle, Washington 98101-3903  
206-553-2242; fax 206-553-6934  
Richard.E.Cohen@usdoj.gov